

**BOARD OF SELECTMEN
MEETING MINUTES
April 28, 2003**

PRESENT: THOMAS C. REYNOLDS JR, CHAIRMAN; DOUGLAS R. COOK, Co CHAIRMAN; BRIAN MCDONALD, SELECTMAN; LEON G. METHOT, SELECTMAN; LAURA PETRAIN, SELECTMAN.

GUEST: Bill Eastman, Lynne Rogers, Chief Bob Richards, Ron Westcott, Kenneth A. Cox, James Carney, Hicham Michael Geha, Forrest Esenwine, Ginger Esenwine, Lauren Esenwine, Walter Bohlin, Chief Myles Rigney, Kelly Bumpus.

The Selectmen's Meeting was held at the Town Office Building. Chairman Reynolds commenced the meeting at 6:05 p.m.

1. NONPUBLIC SESSION

Chairman Reynolds made motion to go into nonpublic session at 6:06 p.m. pursuant to the authority granted under RSA 91-A:3 II (a). Seconded by Selectman McDonald. A roll call vote was taken. Selectman McDonald – yes; Selectman Methot – yes; Chairman Reynolds – yes; Selectman Petrain – yes; Selectman Cook – yes. Motion passed unanimously.

In Attendance: Selectman McDonald, Selectman Methot, Chairman Reynolds, Selectmen Petrain, Selectman Cook, Jackie Hoyt, Timothy J. Arel.

Chairman Reynolds made motion to come out of nonpublic session at 7:06. Seconded by Selectman Methot. A roll call vote was taken. Selectman McDonald – yes; Selectman Methot – yes; Chairman Reynolds – yes; Selectman Petrain – yes; Selectman Cook – yes. Motion passed unanimously.

2. NONPUBLIC SESSION

Selectman Methot made motion to go into nonpublic session at 7:07 pursuant to the authority granted under RSA 91-A:3 II (a) and (c). Seconded by Chairman Reynolds. A roll call vote was taken. Selectman McDonald – yes; Selectman Methot – yes;

Chairman Reynolds – yes; Selectman Petrain – yes; Selectman Cook – yes. Motion passed unanimously.

In Attendance: Selectman McDonald, Selectman Methot, Chairman Reynolds, Selectmen Petrain, Selectman Cook, Everett Stone.

Selectman Petrain made motion to come out of nonpublic session at 7:50. Seconded by Chairman Reynolds. A roll call vote was taken. Selectman McDonald – yes; Selectman Methot – yes; Chairman Reynolds – yes; Selectman Petrain – yes; Selectman Cook – yes. Motion passed unanimously.

Selectman Petrain made motion to seal and restrict the minutes of nonpublic session pursuant to the authority granted under RSA 91-A:3 III. Seconded by Chairman Reynolds. A roll call vote was taken. Selectman McDonald – yes; Selectman Methot – yes; Chairman Reynolds – yes; Selectman Petrain – yes; Selectman Cook – yes. Motion passed unanimously.

3. PUBLIC PARTICIPATION

Bill Eastman – Mr. Eastman stated that he watches the Board of Selectmen meetings and feels it is disgusting. Stated that he lives on an intersection where twenty kids wait for the bus and he has been unable to get an officer to speak to them about the trash they leave at the bus stop. Stated that the Chief of Police will not return his calls. Stated that everyone should receive the same treatment. Stated that he has seen cars going fifty and sixty miles an hour on his road and has tried to contact the Police Department and cannot get anyone to come and check out the situation. Stated that the meetings are getting a lot better, but the town has a lot of problems. Stated that he is ashamed to admit he lives in the town of Weare. Went on to state that he has contacted Selectman Cook several times and Selectman Cook has not responded. Selectman Cook informed Mr. Eastman that he has followed up on some of Mr. Eastman's complaints with the Police Department and they have been looked into. Mr. Eastman stated he did not believe this was true. Selectman Cook stated that Mr. Eastman is not happy with the outcome, but they have been looked into by the Police Department. Mr. Eastman stated he has not seen an outcome and requested Selectman Cook come to his road at ten minutes of four in the morning and he will see cars speeding. Selectman Cook informed Mr. Eastman the Police Department is not on duty until 8:00 a.m. Mr. Eastman told Selectman Cook that it is not his, (Mr. Eastman's) fault and that the Selectmen appropriated money for new officers and have not gotten them. Stated that it is the Board of Selectmen's fault. Selectman Methot asked Mr. Eastman if he would like to meet with the Police Chief? Mr. Eastman

stated he would not. Stated he would like the Police Chief to go down and speak with the children at the bus stop.

Chief Myles Rigney – Chief Rigney addressed Mr. Eastman's complaints. Stated that Mr. Eastman was a victim of a law enforcement stop that day and is not happy about it. Stated the Police Department has had numerous contacts with Mr. Eastman and that the office staff have been advised to hang up if he begins to use vulgar language. Stated on one occasion Sergeant Carney responded to Mr. Eastman's address regarding a medical emergency and was ordered to remove himself from the property because Mr. Eastman does not like cops and does not like Chief Rigney. Chief Rigney stated that on another occasion Mr. Eastman called in a loud truck complaint and a cruiser was sent and sat for 25 minutes and no truck was found, no signs of a truck racing around, and none of the neighbors had seen the truck. Chief Rigney went over other complaints that were responded to with no findings. Chief Rigney stated that Mr. Eastman's main complaint is the school bus route not far from his house. Stated that he has a complaint from the school bus company against Mr. Eastman for swearing, screaming, and threatening the children. Chief Rigney stated that children are going to have a negative reaction to this treatment and respond in a like manner. Stated there was a report from Mr. Eastman that children were being picked up by other people walking down the road and turned out to be a mother waiting for her children at the bus stop. Chief Rigney stated that in short, Mr. Eastman becomes very energetic in trying to get police down to his house. Stated that Mr. Eastman had been stopped that day and received a citation. Stated that it is on tape if the board would like to review it. Stated Mr. Eastman became very angry and was screaming at the officer.

Lynne Rogers – Ms. Rogers stated she would like to get the speed posted in Irving Drive. Stated she is the only individual on the road with farm animals and has had some incidents with people going much too fast. Stated this is not only an issue with animals, but also with children. Stated she would like to see it posted at 25 miles per hour. Ms. Rogers stated that she has spoken with the Road Agent and he is in agreement that the road would better be posted at 25 miles per hour. Stated that the Road Agent is also willing to put up some caution signs she has purchased from the state in hopes that people will be more considerate when she is out with her animal. Selectman Methot informed Ms. Rogers that a public hearing is needed and this issue will be addressed this evening under new business. Ms. Rogers stated that she has support from many of her neighbors and asked if she will need it concerning this issue. Selectman Methot stated that at the time of the public hearing support will be needed. Board agreed that Ms. Rogers should write a letter to the board requesting a public hearing and neighbor's signatures would be helpful.

Chief Bob Richards – Chief Richards requested permission to shop for protective clothing. Stated he has an opportunity to purchase the gear for considerable savings due to liquidation. Stated that the clothing normally costs \$1,180.00 per set and has opportunity to purchase them for \$550.00 per set. Stated that they need nine sets, but does not know what sizes will be available and can only purchase as many, if any, that will fit the department. Chairman Reynolds made motion to authorize the purchase of up to nine sets of turn out gear at the cost of \$550.00. Seconded by Selectman McDonald. A vote was taken. Motion passed all in favor.

Lindsey Lane - Chief Richards then informed the Board that he has been measuring the amount of water in the tank on Lindsey Lane to determine if there is a leak. Stated that he put water in the tank on Friday and will measure every other day for a week. Went on to state that if it is determined that there is no leak he will proceed with the other issues that need to be addressed with the cistern. Selectman Cook requested that Chief Richards keep a record of the time spent on this. Chief Richards stated he would.

Ron Westcott – Mr. Westcott introduced himself as one of the contractors in town. Stated that he does garage doors and performs work for the Highway Department. Asked the Selectmen when the safety complex went out to bid? Selectman Cook stated that it did not go out to bid. Explained that they went to a construction management company for a guaranteed maximum price and they solicit the bids from contractors. Mr. Westcott stated that because he does business in town he feels he should have had the courtesy of a call to inform him that this was going on. Asked the length of time it took them to find the contractors that are being used. Chairman Reynolds stated that he believes that they worked on it for about three or four weeks. Mr. Westcott stated that he provides fair pricing and just did a job for the transfer station for \$100.00, that would otherwise cost the town \$500.00. Stated that he lives in town and does not want his taxes to go up or the town to spend more money then they have to. Selectman Cook stated that one of the advantages to construction management is the Board still has over site of the entire job, so if there is something that can save them money, they have total control. Selectman Cook stated he cannot say for sure, but if Mr. Westcott can come in and save them money, then they should look at it. Mr. Westcott stated that he would like the opportunity to at least come in and state his cost for the job. Selectman Cook stated that this complex is something that they have been talking about for three years and does not know how they are supposed to guarantee that every contractor in town knows that they are looking for specific items. Selectman Cook went on to state that he feels there should be some responsibility on Mr. Westcott's part to solicit them. Selectman Cook stated that it was put in the construction journals. Mr. Westcott stated that he is looking to save the town money and will find out what the bid amount was for the doors and the specifications to determine if he can do the job for less.

Emergency Management Plan - Chief Myles Rigney stated that it seems that an unhappy employee notified the Goffstown news that the town does not have an emergency management plan. Chief Rigney wanted to take this opportunity to let the public know this is untrue. Stated that there has been an emergency management plan in effect since 1999, and is a little astonished that the employee is unaware of it. Stated that it is a continuous plan, always being worked on and revised as needed. Stated that one of the major changes that has come to pass is making the priority the safeguarding of the children of the town. Stated that in conjunction with that they have been working with the school since September 2002. In addition to that the entire first part of the book has been revised. In addition to that they are working on a section on animals. Stated it is important to know in an emergency situation if a pet is rabid. Also, in an emergency situation if a pet is found they can secure it and get it back to it's owner. Stated they have upgraded the bomb procedures. Chief Rigney stated that another part of emergency management is that every person in town is not to know the entire emergency management plan. Stated that he is not about to go public with the entire plan for safety reasons. Stated they have just recently received their first grant and purchased hazardous material set up for each officer in town. Chief Richards stated that he has just sent in for that grant and is eligible for two sets. Stated that they are only eligible for two sets per ambulance. Chief Rigney then went on to state that they have also taken advantage of free training. Chief Rigney stated he felt that through the paper and some citizens in town he was being criticized for not having a plan. Read letter from Don Bliss, Director of Emergency Management for the State of New Hampshire: As manager of the EMA program I am pleased to advise you that your emergency management assistance program application for fiscal year 2003 has been approved. This amount will be set aside for your community and will be paid to your community as reimbursement for completed work described below as appropriate project submission. The specific approved project reimbursement totals are listed below. Chief Rigney stated that he had put in for three projects and the first one approved so far is emergency management plan update. Stated that this was approved for the amount of \$10,235.00 on January 8, 2003. Chief Rigney continued to read letter: This means these grants are becoming more competitive each year. I congratulate you on your success and thank you for your continued dedication and commitment to emergency management by you and your community. We truly appreciate all the efforts that you personally put forth to make this program a success. Chief Rigney stated he would also like to clarify the fact that although many people have said he has been Emergency Management Director since April 2000, he was actually approved by the town and the governor on November 26, 2001. Chief Rigney then went over the many classes taken and many certificates received by personnel of the Police Department in conjunction with emergency management. Chairman Reynolds thanked Chief Rigney for laying all this information out. Selectman Cook

asked Chief Rigney if he could clarify another situation. Stated that a resident had some concerns regarding the Chief's certification when he accepted the job as Chief of Police for the town of Weare. Chief Rigney stated that as usual, Ms. Dorey is flowing with misinformation. Stated that when you come up here from another state and are certified, your certification is good. Went on to state that you have two years to transfer the certification over. Chief Rigney stated that from the first day he was sworn in, he had already taken all academy lessons. Stated that due to his age and his shape he had a tough time running a mile in twelve minutes and thirteen seconds, but by New Hampshire law certification was good for two years.

Hopkinton Fair - Chief Rigney then addressed the issue of two officers being arrested by the Hopkinton Police Department. Stated that Weare officers partook in a demolition derby at Hopkinton State Fairgrounds which they have done for a number of years. Stated that prior to that there is always someone from the association that comes around and hands out free passes. Stated that he attended the event as well and received a call at home that evening from the Hopkinton Police Chief stating that two officers had crashed the gate, illegally parked their car, and made no attempts to stop when they ran through the gate. Stated that the two officers in question at one point were standing in the middle of the are with himself, the Chief of Police from Henniker, and the Chief of Police from Hopkinton. Stated there was no mention at that time that anyone was looking for Weare officers and that was twenty minutes to a half hour after they had entered the fairground. Chief Rigney stated that after receiving the call he paged the two officers in question and told them to report for duty the next morning and not to converse with each other until then. Stated he questioned both officers individually and informed them that they will probably need to take polygraph tests. Chief Rigney went on to go over the details of e-mails received by the General Manager of the fairgrounds, Mr. Hardy. Also read conflicting statements from employees at the fairground. Showed the Board the free passes they received, all consecutive numbers, and stated the missing numbers are the ones that were used. Stated that officers do not pay for admission to this event. Stated that a polygraph was preformed by Belknap County because he wanted to have it done by someone in the business and also an officer, so it could not be said that they hired someone. Stated that it was a report specific test, which is the toughest test to pass. That it was a computerized test and had been hand read by at least two people. Informed board that both tests came back as being totally non-deceptive. Chief Richards stated that he would love to pay for certain people who made these accusations to take a like test. Stated that the court date for this matter is May 9th.

4. OLD BUSINESS

Income Property Tax Relief – Selectman McDonald stated that he received a memo from Ms. Judy Rogers stating it would be a good idea to have an announcement on channel 6 regarding tax relief available in the State of New Hampshire.

Growth Management – Selectman Methot stated there will be a growth management forum at Center Woods School on May 22nd at 7:00 p.m. Stated it is an open forum.

Electrical – Selectman Methot stated they have received the bill for the electrical engineer. Gave selectmen copy of bill. Stated it is not as concise as he expected. Selectman Methot offered to meet with three different electricians that have worked for the town and get written estimates.

Trustees to the Trust Funds – Selectman Cook stated that he requested the meeting minutes from the Trustees to Trust Funds. Stated he could not find where they had a vote and decided not to release the funds.

Assessing – Selectman Cook stated he has received good information on assessing. Chairman Reynolds stated they are scheduled to re-address the issue on May 19th. Selectman Cook stated that he spoke with Ms. Judy Rogers regarding work load and she doesn't feel that contracting the work out would put more of a work load on them. Right now it is very busy and would be helpful to get some help with filing. Also would like to open the office back up on Wednesdays. Board felt there was no problem with office opening on Wednesdays.

Manifests – Chairman Reynolds authorized the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated May 1, 2003. Accounts Payable – 44,557.90, Gross Payrolls - \$22,260.18, for a total of - \$66,818.08. And one voided check in the amount of \$300.00. Seconded by Selectman Methot. A vote was taken. Motion passed all in favor.

Letter of Complaint - Chairman Reynolds stated he received letter of complaint dated April 11, 2003 regarding maintaining order during meeting. Basically states that Chairman Reynolds cut someone off for interrupting a Board member. Chairman Reynolds stated that it was on the Boards time and had given the individual ample time to speak. Stated also that it was outside public participation. Stated it also references a meeting with Mr. Gary Chicoine where several people were speaking. Chairman Reynolds stated that these people had been invited for an open discussion regarding the contract for the safety complex. Selectman Cook stated that it is sometimes hard to distinguish from home who is talking at the meetings. Stated that having meetings on cable is relatively new and is sure it can be confusing sitting at home sometimes. Asked the public to bear with them at times you may not hear

someone and times when people are talking over one another. Stated the Cable Committee is looking to improve the technology with the meetings. Chairman Reynolds entered letter into public record.

Signing Documents – Chairman Reynolds asked Board to make sure they sign things in selectmen's box. Selectman Cook stated that Ms. Judy Rogers wanted to make a point of how important it is that her things get signed.

Motion Directory – Chairman Reynolds went over the motion directory. Board discussed issues currently in process and for future meetings.

Audit – Selectman Cook made motion for Chairman Reynolds to sign audit letter. Seconded by Selectman Petrain. A vote was taken. Motion passed unanimously.

Electrical Bill – Chairman Reynolds asked Selectman Methot to inform Board in the future with situations such as this. Chairman Reynolds made motion to authorize payment of \$544.00. Seconded by Selectman McDonald. A vote was taken. Motion passed 4 in favor, 1 abstention (Selectman Methot).

5. NEW BUSINESS

Bolton Field Sprinkler System – Selectman McDonald stated an e-mail was received from Mr. Chuck Metcalf from Parks and Recreation regarding sprinkler system for baseball field. Wants to expend money to get sprinkler system, but due to the issue with the Trustees does not know if it should come out of ball field improvement or ball field development. Selectman Methot stated he will meet with them and find out what the Trustees think it should come out of. Selectman Cook stated it is ridiculous that the Board should have to go to the Trustees to get an interpretation on this.

Ordinance for Adult Entertainment – Selectman McDonald stated he would like to start thinking about a town ordinance regarding adult entertainment. Selectman McDonald asked if Selectman Cook would like to be involved in conversation with Police Chief. Selectman Cook stated that if it is something Selectman McDonald would like to pursue then go ahead, he has no interest in this matter.

Speed Limit Ordinance – Selectman Methot stated that he believes they can have a public hearing to have a blanket speed limit ordinance. Have a sign that states all town roads are a specific speed limit unless otherwise posted. Stated that Ms. Lynne Rogers issue can be address at the same time.

Parking Lot Sweeping Estimate – Selectman Methot stated he has received a quote of \$300.00 and can be done on the weekend.

Security for Safety Complex – Selectman Methot stated he would like to find out how much the contractor was going to charge for security features. Stated he will need to know fairly soon if the Board would like him to provide the work so he can schedule other work for the summer if not. Board stated they have no problem with Selectman Methot providing the service if it is going to save money. Selectman Methot stated he will begin to get figures together for board to review.

Conservation Commission Appointments - Selectman Petrain moved to re-appoint Michael Manna to three year term as full member of Conservation Commission. Seconded by Selectman Methot. A vote was taken. Motion passed unanimously.

Selectman Petrain moved to appoint Paul Naves to a three year term as full member of the Conservation Commission. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

Selectman Petrain moved to change Dawn Levandoski to an alternate from a full member of Conservation Commission per her request. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

Selectman Petrain moved to appoint David Bougher to serve as an alternate on the Conservation Commission. Seconded by Chairman Reynolds. A vote was taken. Motion passed unanimously.

Conflict of Interest – Selectman Petrain expressed her concern over an issue that was brought up in a nonpublic session. Stated that a selectman was concerned with the fact that her brother-in-law works for the highway department and she oversees the Highway Department. Stated that regardless of whether it was this way, she would have to abstain from anything that comes before the board regarding her brother-in-law. Selectman stated that if the Board feels that this is a conflict of interest then she would like to have the department reassigned and stated she assumes the Selectmen's Office will be reassigned as well due to relative of that Selectman being Administrative Coordinator. Stated she does not see this as a conflict of interest and is not supervising her brother-in-law directly. Selectman Methot stated he does not see it as a conflict of interest. Board felt this is not a conflict of interest.

Town Hall Rental – Selectman Petrain discussed the issue of a Town Hall rental for book sale. Stated they are asking to waive rental fee. Chairman Reynolds stated that everything they do directly benefits the town library. Selectman Cook stated that if

they have a schedule, they should stick to it. Board agreed not to waive the fee of \$10.00.

Street Light Issue – Selectman Cook stated that a resident of Craney Hill Road has installed a street light on a utility pole and it has created a conflict. Board discussed this issue and their options and made the decision to write a letter to Public Service of NH and ask them to remove the light and see what happens and take it from there.

Tax Issue – Board discussed issue of late tax of Katherine Wood. Selectman Cook stated that he has a check for the payment, but is 7 cents short. Selectman Cook stated he will pay the 7 cents to avoid further issues.

Land Donation – Chairman Reynolds stated that the town has received a land donation. Stated they will need to schedule a public hearing to accept the donation.

6. ADJOURNMENT

Chairman Reynolds made a motion to adjourn at 10:55 p.m. Seconded by Selectman Methot. A vote was taken. Motion passed all in favor.

A True Record

Kelly Bumpus, Recording Secretary